

**Nebraska Opioid Settlement Remediation Advisory Committee Meeting**  
**May 15, 2023**  
**Nebraska Association of County Officials (NACO) Offices, 1335 H Street, Lincoln, NE**  
**10:00 a.m. – 2:00 p.m.**  
**Meeting Minutes**

**1. Call Meeting to Order:**

- a. Chairperson Todd Stull called the meeting to order at 10:04 a.m. and welcomed all attendees to the meeting.
- b. Roll call was conducted, and a quorum was determined to exist, with 14 voting members present. There are 23 voting members, therefore, quorum would be 13 members present.

Voting Members

Members in Attendance: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie (late arrival), Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull.

Members Absent: Paul Lambert, Dana Miller, Neil Miller, Marcia Mueting, Brandon Pete, Deb Schorr, Kevin Spencer, Helen Stockman, Bill Tielke.

Others in Attendance: Jeri Keller-Heuke, L. Lynn Rex, Joshua Shasserre.

- c. Chairperson Stull stated that on May 3, 2023, a notice of this meeting with the agenda and other materials were provided to the public and all members of the Committee. Notice of this meeting with the agenda and other materials were available for public inspection at 301 Centennial Mall South in Lincoln, Nebraska, and also posted with the following link kept continually current: an electronic copy of the agenda and all documents being considered at the meeting, with a link to the current version of the Open Meetings Act are on the website of the Nebraska Department of Health and Human Services at <https://dhhs.ne.gov/Pages/Opioid-Settlement-Workgroup.aspx>.
- d. Chairperson Stull informed attendees about the location of the Open Meetings Act, which is accessible to members of the public in the meeting room, and at <https://dhhs.ne.gov/Pages/Opioid-Settlement-Workgroup.aspx> along with a copy of all reproducible written materials to be discussed at this meeting.
- e. Public comment on any agenda item(s): Pursuant to the Open Meetings Act, the Chair of the Committee reserves the right to limit comments on agenda items. In accordance with the Open Meetings Act, there is no time limit on comments made by members of the Committee. Members of the Committee and members of the public may comment on agenda items or listen to the Committee Meeting; however, if the Committee votes to hold a closed session pursuant to the Open Meetings Act, members of the public may not comment or listen during that time. Public comment also may be submitted in writing to the Committee at the Nebraska Department of Health and Human Services. The Committee will receive public comment first from those present at the meeting location and then from those attending via virtual conferencing. The committee requires any member of the public desiring to address the body to identify their name, including an address and the name of any organization represented by such person in accordance with Neb. Rev. Stat. §84-1412. Chairperson Stull stated that agenda items 7, 8, 9, and 11 will be

open for public comments, and that other points may be opened to comments if needed. Chairperson Stull stated that each commenter will have five minutes to speak.

## **2. Consider a Motion to Acknowledge the Following Committee Members Recently Appointed to Fill Vacancies:**

Chairperson Stull opened the floor for a motion to acknowledge the following Committee members recently appointed to fill vacancies:

- a. Christa Yoakum, Lancaster County Board Chair, appointed by NACO to fill the vacancy of Deb Schorr, former Lancaster County Board Chair; and
- b. Paul Price, PharmD, BCPP, Senior Associate Dean, Creighton University to fill the vacancy of Dr. Sam Augustine, Professor of Pharmacy, Creighton University.

Motion was made by Sara Howard and seconded by Mary Ann Borgeson to approve these two new committee members. Chairperson Stull opened the floor for discussion. Hearing none, roll call vote was conducted. The motion passed with the following results.

Yay=14: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie, Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull.

Nay=0

Abstain=0

Absent=8

## **3. Update of Legislation Relating to the Open Meetings Act:**

L. Lynn Rex, Executive Director of the League of Nebraska Municipalities, presented recent updates to this year's Open Meetings Act legislation. LB513, which would have changed stipulations regarding the percentage of meetings that must be held in person vs. virtually, stalled during this year's legislative session. This bill will move to next year's legislative session. Until this bill passes, it is important that at least one half of each year's meetings must be held in person, and that these meetings reach quorum to continue.

## **4. Consider a Motion to Ratify the Previous Actions of the Committee Regarding a. and b.:**

Chairperson Stull opened the floor for a motion to approve the following actions taken at previous meetings, including

- a. Election of:
  - i. Chair – Dr. Todd Stull
  - ii. Vice-Chair – Brandon Kelliher, Mayor of North Platte
  - iii. Subcommittee Chairs and Members
    1. Needs Assessment Subcommittee – Ann Anderson-Berry and Amy Reynoldson
    2. Disbursement Subcommittee – Mary Ann Borgeson
    3. Outcomes Subcommittee – Sara Howard
- b. Agendas and minutes of the following meetings:
  - i. April 4, 2022
  - ii. May 2, 2022
  - iii. June 6, 2022
  - iv. July 11, 2022

- v. August 1, 2022
- vi. September 12, 2022
- vii. October 3, 2022

Motion was made by Mary Ann Borgeson and seconded by Sara Howard to approve all previous actions from past meetings. Chairperson Stull opened the floor for discussion. Hearing none, roll call vote was conducted. The motion passed with the following results.

Yay=15: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie, Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull, Christa Yoakum.

Nay=0

Abstain=0

Absent=8

#### **5. Consider a Motion to Approve the Proposed Revised Bylaws:**

Chairperson Stull opened the floor for a motion to approve the proposed revised bylaws. Motion was made by Sara Howard and seconded by Yohance Christie to approve the Bylaws; this motion was withdrawn. After much discussion, motion was made by Yohance Christie and seconded by Sara Howard to table this vote until the next meeting. The motion passed with the following results.

Yay=15: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie, Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull, Christa Yoakum.

Nay=0

Abstain=0

Absent=8

#### **6. Consider a Motion to Approve the Proposed Conflict of Interest Disclosure Form:**

Chairman Stull opened the floor for a motion to approve the proposed updated Conflict of Interest Disclosure Form. Motion was made by Sara Howard and seconded by Charity Menefee approve the proposed updated form. Chairperson Stull opened the floor for discussion. Hearing none, roll call vote was conducted. The motion passed with the following results.

Yay=15: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie, Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull, Christa Yoakum.

Nay=0

Abstain=0

Absent=8

#### **7. Discussion and Update of Recent Opioid Litigation Settlements:**

Joshua Shasserre, Nebraska Attorney General Chief of Staff, reviewed the *Overview: Opioid Litigation Settlements*. It was noted that there have been no changes in funds received or allocated since the settlements began paying out to states in 2021. This presentation will be emailed to committee members and posted on the DHHS Division of Behavioral Health website.

**8. Update and Review of the Amount and Status of Nebraska Opioid Recovery Funds:**

Karen Harker, DHHS Division of Behavioral Health Deputy Director of Finance, provided updates on the status of the Nebraska Opioid Recovery Fund. It was noted that since this report was generated on April 4, 2023, the fund has received one additional deposit of \$3,389.00 from a county.

**9. Consider a Motion to Approve the Following Subcommittee Reports:**

- Data/Needs Assessment Subcommittee—The Data/Needs Assessment Subcommittee did not have any report or action items. Members of this subcommittee are Ann Anderson-Berry, Amy Reynoldson and Susanna Batterman.
- Disbursement Criteria Subcommittee—Mary Ann Borgeson provided a proposed breakdown of disbursement percentages to each of the six Behavioral Health Regions. Motion was made by Mary Ann Borgeson and seconded by Susanna Batterman to approve this report. Discussion and public comment were entertained, and roll call vote was conducted. The motion passed with the following results.  
Yay=15: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie, Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull, Christa Yoakum.  
Nay=0  
Abstain=0  
Absent=8  
Members of this subcommittee are Mary Ann Borgeson, Brandon Kelliher, Deb Schorr and Chris Kratochvil.
- Outcomes Measurements Subcommittee—The Outcomes Measurements Subcommittee did not have any report or action items. Members of this subcommittee are Sara Howard, Amy Reynoldson, Kevin Borchert, Mary Ann Borgeson, Chris Kratochvil and Ann Anderson-Berry.

**10. Report by Tony Green, Interim Director of the Nebraska Department of Health and Human Services, Division of Behavioral Health, on the Name(s) of His Designee(s) to Serve as Secretary of the Committee as Provided in Article III, Section 3 of the Bylaws:**

Tony Green was unable to attend this meeting.

**11. Discussion of Possible Next Steps and Actions to be Considered at Future Meetings:**

Agenda items to be discussed at the next scheduled meeting include:

- Needs Assessment Subcommittee recommendations.
- Outcomes Measurements Subcommittee report on timelines.
- Continued discussion and potential approval of proposed revised Bylaws.
- Committee vacancies.

If there are additional suggestion for agenda items, please inform Chairperson Stull at least ten (10) days prior to the next meeting.

During a public comment period, John Greenwood, Chief Operating Officer at Goldfinch Health in Iowa City, IA, distributed a kit and information regarding services pertaining to opioid-related issues.

**12. Discussion of Possible Date(s) for the Next Meeting:**

Discussion of possible meeting dates in June 2023 was held. It was decided to have a Doodle poll sent out to committee members to identify a date acceptable to the majority of members. This June meeting is being planned as a virtual meeting.

**13. Consider a Motion to Adjourn:**

The meeting agenda having been completed, Chairperson Stull asked for a motion to adjourn the meeting. Motion was made by Sara Howard and seconded by Ann Anderson-Berry. Roll call vote was conducted. The motion passed with the following results.

Yay=15: Ann Anderson-Berry, Susanna Batterman, Kevin Borchert, Mary Ann Borgeson, Yohance Christie, Sara Howard, Brandon Kelliher, Jerome Kramer, Christopher Kratochvil, Charity Menefee, Amy Reynoldson, Cory Schmidt, Jason Scott, Todd Stull, Christa Yoakum.

Nay=0

Abstain=0

Absent=8

The meeting adjourned at 1:47 p.m.